

# **BYLAWS**

## **KONOCTI EDUCATOR'S ASSOCIATION/CTA/NEA**

### **I. NAME AND LOCATION**

The name of this Association shall be the Konocti Educator's Association/CTA/NEA in Lake County.

### **II. PURPOSES**

The primary purpose of this Association shall be:

- 1 To represent its members in their relations with their employer, and to seek to be the exclusive representation of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment.
- 2 To form a representative body capable of development of group opinion on professional matters to speak with authority for teachers;
- 3 To provide a means for continuous study and action on problems of the profession;
- 4 To provide a means of representation for its ethnic-minority members;
- 5 To promote professional attitudes and ethical conduct among members;
- 6 To encourage cooperation and communication between the profession and the community; and,
- 7 To foster good fellowship among members.

### **III. AFFILIATION WITH THE UNITED TEACHING PROFESSION (UTP)**

- 1 The Konocti Educator's Association shall be a chartered chapter of the California Teacher's Association (CTA).
- 2 The Konocti Educator's Association shall be an affiliated local association of the National Education Association (NEA).

### **IV. MEMBERSHIP**

- 1 The Active membership class shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit. (If further options for membership classes are necessary to fit local needs, refer to the addendum.)
- 2 Membership may be granted upon payment of the annual United Teaching Profession (UTP) dues appropriate to the class of membership.
- 3 The right to vote and to hold elective office or appointive position shall be limited to Active members.
- 4 All members shall be eligible to receive special services, to obtain assistance in the protection of professional and civil rights, and to receive reports and publications of the Association.
- 5 An individual who is serving as a negotiator for a public school employer shall not be eligible for membership in the Association.
- 6 Active members shall adhere to The Code of Ethics of the Education Profession.
- 7 The rights to and privileges of membership shall not be abridged in any way because of: age, sex, race, color, ethnic group, national origin or sexual orientation.

- 8 No member of the Association may be disciplined without a due process hearing which shall include the established appellate procedure.
- 9 The membership year shall be that period of time from September 1 of any given calendar year through August 21 of the following calendar year, inclusive.

**V. DUES, FEES, AND ASSESSMENTS**

- 1 The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operating expenses of the Association, the dues of CTA, and the dues of NEA.
- 2 The Association's portion of the basic annual dues and the representation fee for non-members, shall be established by action of the Representative Council at the last regular meeting of the school year.
- 3 Representation fees shall be apportioned on the same percentage basis as the full limited Teaching Profession dues.
- 4 Membership in a given class or category shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member ineligible for that class or category. If by December 31 of any calendar year, a member has not either paid the established annual membership dues for the current membership year, or made satisfactory arrangements for payment, then that person's membership shall be considered delinquent and the name dropped from the rolls.

**VI. POLICY-MAKING BODY**

- 1 The policy-making body of the Association shall be a Representative Council. The Representative Council, comprising members of the Association, derives its powers from and shall be responsible to the membership.
- 2 The Representative Council shall be composed of the following Active members:
  - a. Executive Council, ex officio;
  - b. Faculty Representatives ('Site Reps') elected on the basis of one person one vote; and
  - c. Ethnic-minority Representative (s)
- 3 The Representative Council shall:
  - a. Establish Association policies and objectives;
  - b. Adopt the Annual Budget of the Association on or before the first meeting of the school year;
  - c. Approve the establishment or discontinuances of committees recommended by the Executive Council; and
  - d. Establish the dues of the union.
- 4 The Representative Council shall meet as needed, but at least once each semester, the number, place and time of meetings to be decided by the Executive Council.
- 5 Special meetings of the Representative Council may be called by the President, the Executive Council, or by the petition of twenty percent of the membership.
- 6 Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- 7 Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Council at least two days prior to the date of the meeting, if possible.
- 8 For emergency meetings of the Representative Council during crisis situations, the Executive Council shall adopt procedures to notify Representatives of meeting dates, places, and times.
- 9 A quorum for all meetings of the Representative Council shall consist of 50% of the Executive Council and four site representative from different sites in KUSD.

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10 Members of the Representative Council shall serve a term of 1 year

## **VII. FACULTY REPRESENTATIVES ('Site Reps')**

- 1 Faculty representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and secret ballot.
- 2 Each faculty shall be entitled to at least one representative or shall have one representative for each 10 Association members on the faculty.
- 3 Active members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled to the same representation on the Council as individual school faculty groups.
- 4 Faculty representatives shall:
  - a. Conduct constant and ongoing liaison between the Representative Council and the Active members of the Faculty unit;
  - b. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the Active members.
  - c. Represent the views and input of the Active membership of the Faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose;
  - d. Set-up and maintain member phone trees up at each site;
  - e. Perform such additional duties as prescribed by the Executive Council.

## **VIII. ETHNIC-MINORITY REPRESENTATIVES**

- 1 The Representative Council and Executive Council shall each have a proportionate number of ethnic-minority representatives according to the Association's ethnic-minority membership.
- 2 If there is not a sufficient number of ethnic-minority representatives elected to meet the requirement of Section 1, then a special election shall be held to elect the required number of representatives.
- 3 Ethnic minority shall mean those persons designated as ethnic minority by statistics published by the United States Bureau of the Census.

## **IX. OFFICES**

- 1 The officers of the Association shall be a President, Vice President, Secretary, and Treasurer.
- 2 These officers shall be and remain currently paid-up members of the UTP as a condition for nomination to and service in their respective positions during their term of office. Officers of KEA Executive Council and negotiators, having served at least 75% of their term, shall have their dues paid by the union at the end of the year (May-June).
- 3 These officers shall be elected by and from the Active membership of the Association. Such election shall be open nominations and secret ballot.
- 4 Officers shall be elected for a term of 1 year, commencing on June 15 of any calendar year.
- 5 A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. In the event of a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, the Representative Council shall elect successors to fill the unexpired terms at the next regularly scheduled meeting.
- 6 The President shall be the chief executive officer of the Association and its policy leader. The President shall:
  - a. Preside at all meetings of the Association, the Representative Council, and the Executive Council;
  - b. Prepare the agenda for the meetings of the Association, the Representative Council and the Executive Council;

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- c. Be the official spokesperson for the Association;
- d. Familiarize him/herself with the governance documents of the Association, the CTA and the NEA;
- e. Appoint all chairpersons and members of committees and bargaining team with the approval of the Executive Council;
- f. Co-sign all checks, with the Treasurer, drawn upon the treasury;
- g. Call meetings of the Association and the Executive Council;
- h. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
- i. Attend meetings of the Service Center Council of which the Association is a part; and,
- j. Attend other CTA/NEA meetings as he/she may be directed by the Council.
- k. President or designee may attend up to 10 days for CTA/NEA and/or union business meetings during business year and shall have substitute pay, travel, lunch and registration expenses paid.

7. The Vice-President Shall:

- a. Serve as assistant to the President in all duties of the President;
- b. Assume the duties of the President in the absence of the President;
- c. Serve as coordinator of committee activities at the direction of the President.
- d. Serve as coordinator of Faculty Representatives; ensure that Representatives fulfill the expectations and ensure that all KEA members are represented.

8. The Secretary Shall:

- a. Keep a careful and accurate record of the proceedings of each meeting, regular or special, of the Association, Council, and Executive Council;
- b. Be responsible for distribution of all notices, agendas, and minutes of meetings to members of the Council and Executive Council, and to the membership when appropriate;
- c. Keep an accurate roster of the membership of the Association and of all committees;
- d. Carry on the correspondence pertaining to the affairs of the Association as directed by the President; and
- e. Prepare ballots for all elections, and
- f. Submit membership reports to CTA, NEA, or other agencies as required by law.

9. The Treasurer Shall:

- a. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
- b. Pay out such funds upon orders of the President and co-sign, with the President, all checks drawn upon the treasury;
- c. Prepare a written financial report for each regular meeting of the Council and Executive Council;
- d. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership, and
- e. Submit financial reports to CTA, NEA, or other agencies as required by law.

**X. EXECUTIVE COUNCIL**

- 1 The Executive Council shall be composed of the officers.
- 2 All members of the Executive Council shall be and remain members of the UTP as a condition for nomination to and service in this position, with open nominations and by secret ballot.
- 3 The Executive Council shall meet prior to each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the members of the Council.

- 4 The duties of the Executive Council shall be to:
  - a. Coordinate activities of the Association;
  - b. Direct the bargaining activities and grievance processing of the Association, subject to policies set by the Representative Council;
  - c. Appoint and remove bargaining team members;
  - d. Recommend a budget for the Association;
  - e. Approve Committee appointments;
  - f. Adopt the Standing Rules for the Association; and
  - g. Exercise all of the business and organizational powers and duties for the Association as prescribed by law and these by laws, subject to any restrictions which may be imposed by the Representative Council.
- 5 A quorum for all meetings of the Executive Council shall consist of three members.

## **XI. BARGAINING TEAM**

- 1 The bargaining team and such alternates as the Executive Council deems necessary shall be appointed by the President and approved by the Executive Council.
- 2 The Executive Council shall adopt standing rules setting forth its selection procedures for bargaining team members, including terms of office and criteria for appointment.
- 3 Vacancies created by resignation or inability to serve shall be filled by the Executive Council from the list of alternates.
- 4 The Executive Council, by a two-thirds majority, may remove a member of the bargaining team and appoint a replacement from the list of alternates.
- 5 The duties of the bargaining team are to represent and to bargain for the bargaining unit (s).
- 6 Responsibility and authority for directing the bargaining process on behalf of the Association is vested in the Executive Council subject to policies established by the membership.
- 7 Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by association members in that unit.
- 8 The bargaining team shall report its activities to the Executive Council in such form and with such frequency as the Executive Council may require.
- 9 The Executive Council shall provide for the dissemination of information regarding bargaining and the activities of the bargaining team to the general membership.
- 10 Agreements reached between the bargaining team and the School Board or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the appropriate units unless such ratification shall have been specifically waived or otherwise delegated by that membership.
- 11 Union dues for up to three (3) bargaining team members shall be paid by KEA. If there are more than three (3) members on the bargaining team then an equivalent amount of money shall be divided equally among all team members.

## **XII. GRIEVANCE PROCESSING**

- 1 The Executive Council shall adopt, with approval of the Representative Council, the procedures for grievance processing.
- 2 These procedures shall include but not be limited to the following:
  - a. Provide for representation to assist all members of the bargaining unit (s) in processing grievances;
  - b. Training for handling grievances; and

- c. Evaluation of the Association's grievance policies and procedures.
- 3 The Grievance Chair shall have his/her dues paid by KEA.
- 4 The Grievance Chair shall be appointed by the president and approved by the Executive Council.

### **XIII. NOMINATIONS AND ELECTIONS**

- 1 Nominations for office shall be made as follows:
  - a. Any Active member, at his request, shall have his name placed upon the ballot for an office of the Association.
  - b. The name of any Active member may be placed in nomination by any other member, with the consent of the nominee.
- 2 Elections of officers, State Council Representative (s), and NEA Delegates shall be conducted by secret ballot of the general membership.
- 3 Faculty representatives shall be elected by open nominations and secret ballot by and from the Active members who are assigned to that faculty.
- 4 The President shall appoint an election committee and chairperson, subject to the approval of the Executive Council, to conduct all elections of the Association.
- 5 The Executive Council shall adopt standing rules setting forth the procedures for conducting elections.

### **XIV. CTA STATE COUNCIL REPRESENTATIVES AND NEA DELEGATES**

- 1 All representatives to CTA State Council and the NEA Representative Assembly to which the Association is entitled shall be elected by and from the Active membership of the Association. Such elections shall be by open nominations and by secret ballot.
- 2 CTA State Council Representative (s) shall be elected for a term as specified by CTA.
- 3 NEA delegates shall be elected for a term as specified by NEA.

### **XV. COMMITTEES**

- 1 Committees, except as otherwise provided in these bylaws, may be established and discontinued by the Executive Council, subject to approval by the Representative Council.
- 2 Each Committee shall submit periodic reports to the Executive Council and Representative Council.

### **XVI. MEETINGS OF THE GENERAL MEMBERSHIP**

- 1 Meetings of the Association may be called by the President, the Executive Council or by written petition of 20% of the membership.
- 2 Notice of the Association meetings including date, place, time, and purpose of meeting shall be made available to all members of the Association at least two days prior to the meeting except during crisis situations.
- 3 For emergency meetings during crisis situations, the Executive Council shall adopt procedures to notify the Association membership of meeting dates, places, and times.
- 4 A quorum for meetings of the Association shall be 33 1/3 % of the active membership.
- 5 At least three (3) general meetings shall be scheduled per school year.

### **XVII. AMENDMENTS**

1. These bylaws may be amended by a two-thirds vote of the representatives at any regular or special meeting of the Representative Council provided notice in writing of a proposed bylaws amendment

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shall have been submitted to the Secretary and made available to all members of the Council at the meeting preceding the one at which it is to be voted upon.

## **ADDENDUM**

### **CLASSES OF MEMBERSHIP**

- 1 Classes. Classes of membership shall be Active, Staff, Paraprofessional Educational Secretary, and Associate. Members shall not be enrolled in classes other than Active until approved by and action taken by the REPRESENTATIVE COUNCIL.
- 2 General Requirements. To become a member, a membership enrollment form must be completed and filed, together with the prescribed amount of dues for the category of membership for which eligible or payroll deduction authorization. In addition, membership must also be obtained in the appropriate parallel category within the California Teachers Association and within the National Education Association whenever such memberships are available.
- 3 Active Membership. Active membership shall be open to any person who is engaged in or who is on a limited leave of absence from professional educational work and whose primary assignment is such as not to hold supervisory responsibility over other certificated employees to such an extent as not to be represented in the negotiations process by the teacher bargaining unit.
- 4 Staff Membership. Staff membership shall be open to any person employed by the Association in a professional staff position.
- 5 Paraprofessional. Paraprofessional membership shall be open to any person who works directly with educators discharging their professional duties.
- 6 Educational Secretary. Educational Secretary membership shall be open to any office employee in an educational institution, agency or organization whose functions come under the interest jurisdiction in the purposes and goals of the Association.
- 7 Associate. Associate membership shall be open to any person who is interested in advancing the cause of public education but who is not eligible for any other class of membership in the Association. Persons whose eligibility for Active membership has been withdrawn because of holding a supervisory position may be enrolled as Associate members in accordance with policies adopted by the (Representative Council – or-General Meeting). Rights and privileges in such cases shall be limited to continuance in economic benefit and insurance programs previously held as Active members.

## Organizational Structure of KEA

